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## DIGEST

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Brossett

HB No. 146

**Abstract:** Creates the Seabrook Neighborhood Improvement and Security District in Orleans Parish for the purpose of promoting and encouraging the beautification, security, and overall betterment of the district. Creates and provides for the district's board of commissioners. Provides for the imposition and use of a parcel fee.

Proposed law creates the Seabrook Neighborhood Improvement and Security District in Orleans Parish as a political subdivision of the state for the purpose of promoting and encouraging the beautification, security, and overall betterment of the district. Provides for district boundaries.

Proposed law provides that the district shall be governed by a board of five commissioners, all of whom shall be residents and qualified voters of the district. Provides that the board shall be composed as follows:

- (1) The president of the Seabrook Neighborhood Homeowners Association (association).
- (2) The city council member whose district encompasses all or a greater portion of the area of the district, or his designee.
- (3) Three members appointed by the governing board of the association, one of whom shall be a member of the governing board of the association.

Proposed law provides that appointed board members shall serve three-year staggered terms. Provides that vacancies shall be filled in the same manner as the original appointment. Further provides that members shall serve without compensation.

Proposed law authorizes the board to select from its members a president and such other officers as it may deem necessary. Provides that the duties of the officers shall be fixed by the bylaws adopted by the board.

Proposed law provides that the district shall have the following powers and duties:

- (1) To sue and be sued.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To receive and expend funds collected pursuant to proposed law and in accordance with a

budget adopted as provided by proposed law.

Proposed law authorizes the governing authority of the city of New Orleans to impose and collect a parcel fee within the district. Provides that the amount of the fee shall be as requested by duly adopted resolution of the board. Further provides that the fee shall be a flat fee per parcel of improved land not to exceed \$200 per year.

Proposed law defines a parcel as a lot, a subdivided portion of ground, an individual tract, or a condominium parcel as defined in present law (R.S. 9:1121.103).

Proposed law provides that the fee shall be imposed only after the question of its imposition has been approved by a majority of the registered voters of the district voting on the proposition at an election held for that purpose. Provides that the amount of the fee may be changed by duly adopted board resolution, not to exceed the maximum amount authorized by proposed law. Provides that no other election shall be required except as provided by proposed law.

Proposed law provides that the fee shall expire on Dec. 31, 2014, but may be renewed. Proposed law provides that if the fee is renewed, the term of the imposition of the fee shall be as provided in the proposition authorizing such renewal, not to exceed eight years.

Proposed law provides that the fee shall be collected in the same manner and at the same time as ad valorem taxes. Provides that any fee which is unpaid shall be added to the tax rolls of the city and shall be enforced with the same authority and subject to the same penalties and procedures as unpaid ad valorem taxes.

Proposed law provides that the proceeds of such tax shall be used solely and exclusively for the purpose and benefit of the district. Authorizes the city to retain 1% of the amount collected as a collection fee. Requires the city to remit to the district all amounts collected not more than 60 days after collection.

Proposed law requires the board of commissioners to adopt an annual budget in accordance with the Local Government Budget Act and provides that the district shall be subject to audit by the legislative auditor.

Proposed law provides that it is the purpose and intent of proposed law that the additional law enforcement personnel and their services provided for through the fees authorized by proposed law shall be supplemental to and not in lieu of personnel and services provided in the district by the New Orleans Police Dept.

Proposed law provides that if the district ceases to exist, all funds of the district shall be transmitted by the board to the city. Provides that such funds together with any other funds collected by the city pursuant to proposed law shall be maintained in a separate account by the city. Requires that such funds be used only to promote, encourage, and enhance the security, beautification, and overall betterment of the area included in the district.



Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 33:9091.16)

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Removed requirement of proposed law that the initial election on the question of the imposition of the fee be held at the same time as a regularly scheduled election in the city of New Orleans.
2. Removed requirement of proposed law that the election to renew the parcel fee be held at the same time as the mayoral primary election in the city of New Orleans.
3. Provided for an emergency effective date instead of an effective date of July 1.